GOVERNMENT OF INDIA
PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA

UNSTARRED QUESTION NO:1989
ANSWERED ON:09.03.2016
Over-Bridge at Railway Crossing
Jardosh Smt. Darshana Vikram

Will the Minister of PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

(a) whether the Government has received any petition requesting for the regularisation of thousands of contract employees who are working on contract/ outsource basis in various Ministries/ Departments;

(b) if so, the details thereof;

(c) the type of benefits given to contract/outsourced employees;

(d) the total number of employees working on contract/outsource basis in various Ministries/Departments and the representation of SC/ST out of them;

(e) whether the Government proposes to restart the recruitment in class IV/peon posts in Central Government offices; and

(f) if so, the details thereof and if not, the reasons therefor?

Answer

Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office. (DR. JITENDRA SINGH)
(a) & (b): No, Madam. There is no information about any petition for the regularisation of thousands of contract employees who are working on contract/ outsource basis in various Ministries/ Departments.
(c): The interest of contract labour in terms of wages and other service conditions are safeguarded under various social welfare legislations as per Section 2(b) of the Contract Labour(Regulation and Abolition) Act, 1970. Some of the prominent social welfare legislations are as follows:-
â€¢ Employees' Provident Fund & Misc. Provisions Act, 1952
â€¢ Payment of Gratuity Act, 1972
â€¢ Employees' Pension Scheme, 1995
â€¢ Employees' State Insurance Act, 1948
â€¢ Minimum Wages Act, 1948
â€¢ Payment of Wages Act, 1936
â€¢ Maternity Benefit Act, 1961
â€¢ Equal Remuneration Act, 1976
â€¢ Payment of Bonus Act, 1965
â€¢ Workmen Compensation Act, 1923
â€¢ Mines Act, 1952
â€¢ Factories Act, 1948
â€¢ Industrial Dispute Act, 1947
â€¢ Contract labour (Regulation & Abolition) Act, 1970.

Contdâ€¦.2/-

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Further, Rule 25(2)(iv) of the Contract Labour (Regulation & Abolition) Central Rules, 1971 , stipulates that the rates of wages payable to the contract labour shall not be less than the rates prescribed under Minimum Wages Act, 1948 and for such employment where applicable and where the rates have been fixed by agreement, settlement or award, no less than the rates so fixed.

Rule 25(2)(v)(a) provides that in cases where the contract labour perform the same or similar kind of work as the workmen directly employed by the principal employer of the establishment, the wage rates, holidays, hours of work and other conditions of service shall be the same as applicable to the workmen directly employed by the principal employer of the establishment on the same or similar kind of work.

Section 21(4) provides that the liability to ensure payment of wages and other benefits is primarily that of the contractor and, in case of default, that of the principal employer.

(d): A Ministry or Department may outsource certain services in the interest of economy and efficiency and it may prescribe detailed instructions and procedures for this purpose as per basic guideline contained in Rule 178 to 185 of the General Financial Rules(GFRs),2005 and as per extant rules.

No Centralized data regarding such employees working on contract basis in various Ministries/ Departments is maintained.

However, as per instructions vide O.M.No.27/4/67-Estt.(SCT) dated 24.09.1968 reservations for SC/ST should be made in all temporary appointments except appointments which are to last for less than 45 days.

(e) & (f): After 6th Pay Commission, the posts of class IV/ peon in Central Government Offices have been upgraded to Group 'C' MTS Posts.

There is no proposal to restart the recruitment in class IV/ Posts in Central Government Offices.

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